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FM AMEMBASSY KUALA LUMPUR

TO RUEHC/SECSTATE WASHDC IMMEDIATE 1369

INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY

RUEHLO/AMEMBASSY LONDON PRIORITY 0448

RUEHBY/AMEMBASSY CANBERRA PRIORITY 2584

RUEKJCS/SECDEF WASHDC PRIORITY

RHHMUNA/CDR USPACOM HONOLULU HI PRIORITY

RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 000619

SIPDIS

FOR EAP AND INR

E.O. 12958: DECL: 07/14/2028

TAGS: PGOV PINR KDEM MY

SUBJECT: POLICE COMPEL ANWAR'S APPEARANCE ON JULY 16;  
LAWYER PREDICTS ARREST

REF: A. KUALA LUMPUR 614 - ANWAR DUCKS POLICE

1B. KUALA LUMPUR 575 - NAJIB FIGHTS BACK

1C. KUALA LUMPUR 572 - NAJIB IMPLICATED IN MURDER

1D. KUALA LUMPUR 570 - GOM DELIVERS PROTEST TO USG

1E. KUALA LUMPUR 563 - ANWAR ON OFFENSIVE

1F. KUALA LUMPUR 557 - ANWAR TAKES REFUGE

Classified By: Political Section Chief Mark D. Clark, reason 1.4 (b and d).

Summary

11. (C) Malaysian police have threatened Opposition leader Anwar Ibrahim with arrest if he does not appear at a police station on July 16 to give his statement in the criminal investigation regarding sodomy allegations. Anwar's lawyer publicly stated that Anwar will comply with the police order, and he explained further that an arrest warrant has been issued for his client, whom police have identified as a formal suspect. The lawyer told polchief late on July 15 that he expected Anwar to be arrested tomorrow when he presents himself at the Kuala Lumpur police headquarters. While Anwar's arrest tomorrow may not be a foregone conclusion, but it appears to be an increasingly likely outcome. The question of bail should arise within 24 hours. The Embassy will closely monitor events. End Summary.

Anwar to Comply with Police Ultimatum

12. (U) Malaysian police announced on July 15 that de facto Opposition leader Anwar Ibrahim must appear at the Kuala Lumpur police headquarters by 2 p.m. on July 16 or possibly face arrest. The police have summoned Anwar to provide his statement for the criminal investigation into allegations of sodomy made against Anwar by a former aide. Anwar's legal team confirmed the opposition leader would appear at the police headquarters as necessary on July 16.

Anwar Criticized for Earlier No-Show

13. (SBU) Anwar canceled a previously arranged July 14 interview with the police claiming the police had violated a negotiated agreement for his voluntary appearance by insisting on serving a court order (ref A). Malaysian officials wasted no time in criticizing Anwar's non-appearance, with Home Minister Syed Hamid Albar telling reporters on July 14 that, "it cannot be that Anwar must be treated as special and be exempted from the law," and warning that Anwar could face arrest. Government-controlled press amplified this criticism of Anwar with July 15 headlines such

as "No Show" and "Anwar Disobeys Police, May be Arrested."

Lawyer Complains, Notes Arrest Warrant

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¶4. (U) Anwar's lead lawyer in the case, Sankara Nair, released a statement and held a press conference on July 15 confirming Anwar's intention to "fully cooperate" with the police order to appear on July 16, but complaining that police again violated a previous agreement for an interview to be held on July 17. Nair told reporters that police in fact had obtained an arrest warrant for Anwar. The lawyer stated that based on his conversations with police, "Anwar is a suspect and may be arrested tomorrow."

¶5. (C) Polchief spoke with Nair late on July 15. Nair recalled his conversation earlier that afternoon with the police investigating officer. The officer confirmed police had obtained an arrest warrant for Anwar and "may" execute the warrant tomorrow. Nair told polchief he believed the police indeed would arrest his client at that time. Nair had heard informally that police had prepared certain rooms to examine and hold Anwar, and for a possible magistrate's hearing, which must be completed within 24 hours of arrest.

Televised Debate Still On

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¶6. (SBU) Prior to his July 16 police interview, Anwar Ibrahim has two scheduled events. On the evening of July 15, Anwar Ibrahim will participate in a live televised debate

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with Information Minister Shabery Cheek on the subject of the government's earlier dramatic cut in fuel price subsidies. Anwar has made the government's decision to increase fuel prices a centerpiece of his populist campaign. The one-hour debate is scheduled to begin 9 p.m. local time. On the morning of July 16, Anwar will give his statement to the Anti-Corruption Agency regarding his complaint that current Attorney General Gani Patail and current national police chief Musa Hassan, acting in their previous roles, suppressed evidence of Anwar's physical abuse at the hands of police when Anwar was arrested on sodomy and corruption charges in 1998.

Comment

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¶7. (C) Police will have the option to arrest Anwar when he appears tomorrow. While this may not be a foregone conclusion, it appears to be an increasingly likely outcome. If Anwar is arrested, the question of bail should arise at the time of the magistrate's hearing that must take place within 24 hours. The Embassy will monitor the situation closely, including the public reaction.

KEITH